



~~Receipt~~
CPA

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application No.	09/420,951
		Filing Date	October 19, 1999
		First Named Inventor	Paul Liesenberg
		Art Unit	2642
		Examiner Name	Agdeppa, Hector A
Total Number of Pages in This Submission	9	Attorney Docket Number	81862P152

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">Request for Correction of Filing Receipt (2) pages, Copy of CPA Transmittal (2), Copy of Request for Nonpublication (1), Copy of Corrected Filing Receipt with correction (2), and Return Postcard</div>
Remarks		<div style="text-align: right;">RECEIVED OCT 27 2003 Technology Center 2600</div>

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Robert B. O'Rourke, Reg. No. 46,972 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	10/14/03

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.			
Typed or printed name	Janece Shannon	10/14/2003	
Signature		Date	October 14, 2003



Attorney's Docket No.: 081862.P152

Patent

#16
smc
11/4/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)
Paul Liesenberg)
Application No: 09/420,951)
Filed: October 19, 1999)
For: METHOD AND APPARATUS FOR)
TRANSPORTING DATA USING)
LABEL SWITCHING)

Examiner: Hector A. Agdeppa

Art Unit: 2642

Confirmation No.: 3474

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Office of Initial Patent Examination's
Filing Receipt Corrections
United States Patent and Trademark Office
Washington, DC 20231

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on October 14, 2003
Date of Deposit

Janece Shannon
Name of Person Mailing Correspondence

Janece Shannon 10/14/2003
Signature Date

REQUEST FOR CORRECTION OF CORRECTED FILING RECEIPT

Dear Sir:

On May 2, 2003, the U.S. Patent and Trademark Office mailed us a Corrected Filing Receipt in connection with the above-mentioned patent application.

The Corrected Filing Receipt currently reads in part as follows:

Projected Publication Date: 10/30/2003

Non-Publication Request: No

Please correct the Corrected Filing Receipt so that it reads in part as follows:

Projected Publication Date: None

Non-Publication Request: Yes

Request for Non-Publication Acknowledged

Please correct your records to reflect the above information and then forward us a Corrected Filing Receipt.

Enclosed are copies of the following: (1) a photocopy of the Continued Prosecution Application (CPA) Request Transmittal, including a Request and Certification Under 35 U.S.C. § 122(b)(2)(B)(i), and (2) a photocopy of the Corrected Filing Receipt marked with the appropriate corrections

If you have any questions please contact the undersigned.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: _____

10/14/03



Robert B. O'Rourke
Reg. No. 46,972

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
(408)720-8300



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
09/420,951	10/19/1999	2642	1682	081862.P152	5	12	3

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
12400 WILSHIRE BOULEVARD SEVENTH FLOOR
LOS ANGELES, CA 90025

ENTERED

JUL 29 2003

STATUS DB-LA

CONFIRMATION NO. 3474

CORRECTED FILING RECEIPT



OC000000010563311

Date Mailed: 07/24/2003

Receipt is acknowledged of a CPA in this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

PAUL LIESENBERG, San Jose, CA;

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JUL 28 2003

Domestic Priority data as claimed by applicant

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
LOS ANGELES

Foreign Applications

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If Required, Foreign Filing License Granted: 11/12/1999

OCT 27 2003

CPA filed on: 06/30/2003

Technology Center 2600

Projected Publication Date: ~~10/30/2003~~ NONE

Non-Publication Request: ~~No~~ Yes

Request FOR NON-PUBLICATION ACKNOWLEDGED

Early Publication Request: No

Title

METHOD AND APPARATUS FOR TRANSPORTING DATA USING LABEL SWITCHING

Preliminary Class

379

STATUS REPORT

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

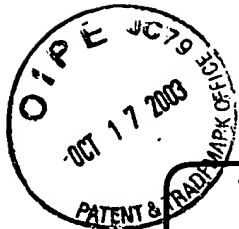
The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



**CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL**

CHECK BOX, if applicable:

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*Submit an original, and a duplicate for fee processing.
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))*

OCT 27 2003

Address to: Mail Stop CPA Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Attorney Docket No. of Prior Application	81862P152
	First Named Inventor	Paul Liesenberg
	Examiner Name	Agdeppa, Hector A
	Group/Art Unit	2642
	Express Mail Label No.	EV336586634US

Technology Center 2600

This is request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number 09/420,951, filed on October 19, 1999, entitled METHOD AND APPARATUS FOR TRANSPORTING DATA USING LABEL SWITCHING.

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR § 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR § 1.78(a).

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1. ☐ Enter the unentered amendment previously filed on _____ under 37 CFR § 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53 (d)(4).
 - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:

 - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
 - a. ☐ PTO-1449
 - b. ☐ Copies of IDS Citations

[Page 1 of 2]



CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(c) or (j))		28 -20* =	8	x \$ 18.00 =	\$ 144.00
INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))		6 -3** =	3	x \$ 84.00 =	252.00
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))				+\$ _____ =	
				BASIC FEE (37 CFR 1.16)	750.00
Total of above Calculations =					\$1,146.00
Reduction by 50% for filing by small entity (Note 37 CFR 1.27).					
* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent.					
TOTAL =					\$1146.00

6. ☐ Small entity status: Applicant claims small entity status. See 37 CFR 1.27.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to
Deposit Account No. _____ - 02 2666 :

- a. ☐ Fees required under 37 CFR 1.16.
b. ☒ Fees required under 37 CFR 1.17.
c. ☐ Fees required under 37 CFR 1.18.

8. ☒ A check in the amount of \$1,146.00 is enclosed.

9. ☐ Payment by credit card. Form PTO-2038 is attached.

10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of _____ months
(not to exceed 3 months) and the fee under 37 CFR 1.17(i) enclosed.

11. ☐ New Attorney Docket Number, if desired _____
(Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.)

12. a. ☐ Receipt for Facsimile Transmitted CPA (PTO/SB/29A)
b. ☐ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)

13. ☐ Other: _____

NOTE:

The prior application's correspondence address will carry over to this CPA
UNLESS a new correspondence address is provided below.

10. NEW CORRESPONDENCE ADDRESS

☒ Customer Number of Bar Code Label



08791

or ☒ Correspondence address

Name	Robert B. O'Rourke				
	Blakely, Sokoloff, Taylor & Zafman LLP				
Address	12400 Wilshire Boulevard, Seventh Floor				
City	Los Angeles	State	California	Zip Code	90025-1030
Country	USA	Telephone	(408) 720-8300	Fax	(408) 720-8383

15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME (Print/Type)	Robert B. O'Rourke
SIGNATURE	
Registration No. (Attorney/Agent)	46,972
DATE	6/26/03



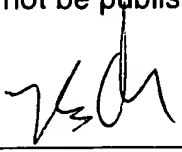
**NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Paul Liesenberg
Title	METHOD AND APPARATUS FOR TRANSPORTING DATA USING LABEL
Attorney Docket Number	81862P152

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

6/30/03
Date


Signature

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OCT 27 2003

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Robert B. O'Rourke, Reg. No. 46,972

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 112(b)(2)(B)(iii)).**